UNITED STATES PATENT AND TRADEMARK OFFICE

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09/842,366	04/24/2001	Deborah A. Louis Wallace	SPCI115495	6571

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *08 October 2008*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-18,27,28,31 and 33-37* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-18,27,28,31 and 33-37* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to the Amendments filed 10/8/08. Accordingly, claims

1-18, 27-28, 31 and 33-37 are pending.

Claim Rejections - 35 USC § 112

2.   The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1-18, 27-28, 31, and 33-37 are rejected under 35 U.S.C. 112, first

paragraph, as failing to comply with the written description requirement. The claim(s)

contains subject matter which was not described in the specification in such a way as to

reasonably convey to one skilled in the relevant art that the inventor(s), at the time the

application was filed, had possession of the claimed invention. More specifically the

limitation "without said data related to said markup language Web page persisting on

said Web server module' is not found in the specification.

4.   Claims 1-18 are rejected under 35 U.S.C. 112, second paragraph, as being

indefinite for failing to particularly point out and distinctly claim the subject matter which

applicant regards as the invention.

Claim 1 recites the limitation "said web site page", "said web site" "web page"

"said non-markup language website database", etc. There is insufficient antecedent

basis for these limitations in the claim. Consistent terminology is required throughout

the claims.

Claim Rejections - 35 USC § 103

5.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

6.   Claims 1-18, 27-28, 31 and 33-37 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Papadopoulos et al (SUPN: 6,282,454) further in view of Haverstock

et al (USPN: 6,401,131).

As to claim 1, Papadopoulos teaches a system for providing information

regarding the operation of a control system comprising a web server module (30, Fig 2)

associated with said control system (32, Fig 2, programmable logic controller is a

control system) said web server module having a memory operative to store a non-

markup language web site database that may be used to dynamically generate a

website, wherein the web site may be provided by the web server module to provide

obtained directly from the registers of the control system (col 4, lines 36-65) and a

computer operative to receive user defined non-markup language configuration data

defining said website to store said configuration data as said non-markup language we

site database, and to transmit said non-markup language web site database to said web

server module (col 3, lines 48-60, col 4, lines 1-35).

wherein the Web server module is further configured to receive the non-markup

language database from the remote computer in a request and to dynamically generate

a markup language Web page that includes information obtained directly from memory

registers of the control system in response to said request without data related to said

markup language Web page persisting on said Web server module (col 3, lines 48-60,

col 4, lines 1-35).

However, Papadopoulos does not explicitly indicate that the data defines

attributes of said web site. Haverstock et al teaches a system and method for viewing

production information and generating web pages in which a web server opens a

template file related to the requested web page, creates hyperlinks and other

information content by executing database references embedded within the template file

to generate a markup language page and a web server module configuration application

operative to create said non-markup language web site database and to transmit said

database to said web server module in response to the request (col 10, lines 27-60).

It would have been obvious to one of ordinary skill in the art at the time of the

invention to incorporate the teachings of Haverstock into those of Papadopoulos to

make the system more efficient and customizable. Haverstock's disclosure would allow

one to create and update the data records of an information database in response to

user manipulation of the GUI. Additionally, Papadopoulos teaches limitations in claim

27 not present in claim 1 including wherein said configuration data defines a table with

entries corresponding to the contents of read or write memory registers contained within

said control system, wherein said data defining said table is created by receiving a

mapping of a text tag to said memory register and by receiving a selection of said tag

and a request that said tag be displayed in said table (col 2, lines 41-63; col 6, lines 35-

45, table 1).

As to claims 2 and 3, Papadopoulos teaches the system wherein said wbe server

module is operative to receive a request for a web page of said web site and to

dynamically generate a markup language web page from said web site database in

response to said request and transmit the translated data to the client (col 4, lines 1-5).

As to claim 4, Papadopoulos teaches the web site database further comprising a

security profile map defining security level and privilege information for one or more

servers, and wherein said web server module is further operative to identify a user

associated with said request and to determine if said user is authorized to receive said

web page based upon an entry in said security profile map associated with said user

(col 4, lines 11-21)

As per claim 5, Papadopoulos teaches Web site database further comprises data

defining a Web page comprising a table for reading or writing the contents of a memory

register contained within said control system (Col. 5, L20-29., web site contains tables

for reading/writing data retrieved from control system).

As per claim 6, Papadopoulos teaches the system of claim 2, wherein said Web

site database further comprises data defining a Web page comprising a non-text

rendering of read or write data corresponding to contents of a contained within said

control system (Col 6, Lines 5-10, Lines 17-26)

As per claims 7-8,Papadopoulos teaches said request comprises a request for

said Web page comprising a table and non-text rendering, and wherein said Web server

module is operative to identify said memory register, to determine the contents of said

memory register, and to create said Web page comprising a table containing said

contents of said memory register (Col. 8, Lines 40- 44., upon receiving a request from a

client, web server retrieves PLC data from control system to store in its table and

dynamically create a web page to send to the client device).

As per claim 9 Papadopoulos teaches said Web server module is electrically

connected to said control system controller through a backplane interface (col. 4, lines

21-24).

As per claim 12, Papadopoulos teaches said request comprises a hyper-text

transport protocol request and wherein said request is received from a Web browser

executing on said remote computer (Col. 4, Lines 1-5).

As per claims 13-14, Papadopoulos teaches said dynamically generated markup

Language Web page comprises a Web page identifying an alarm generated by said

Web server module through the monitoring of data for said control system (Col. 10,

Lines 1-7., client user can view the status event (e.g., alarm) of the control system via

its browser software through the web site).

As per claim 15, Papadopoulos teaches said Web server module further

comprises an Ethernet interface for receiving said non-markup language (e.g., PLC

data) Web site database and said requests and wherein said dynamically generated

markup language Web page may comprise a Web page providing information regarding

the status of said Ethernet interface (Col. 4, Lines 55-58,' web server uses Ethernet

interface for communications).

As per claim 17, Papadopoulos teaches said dynamically generated markup

Language Web page comprises a Web page providing system administrator or specific

user-allowed access that allows active browser session modification of said security

profile privileges (Col. 4, Lines 1 1-21., user can update security parameters of the

system as desired).

As per claim 18 Papadopoulos teaches said Web server module is further

operative to receive a plurality of said requests and wherein said dynamically generated

markup language Web page may comprise a Web page identifying a like plurality of

users connected to said Web server module and associated with said plurality of

requests (Col. 3, Line 66 - col. 4, line 5., web site processes plurality of requests from

plurality of users as required).

Claims 27-28, 31, and 33-37 contain similar limitations as the above mentioned

claims and are thus rejected under similar rationale.

7.   Claims 10, 11, 16 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Papadopoulos and Haverstock in view of Sharood et al, 6,453,687 (hereafter

Sharood).

As per claims 10, 11, 16, neither Papadopoulos nor Haverstock show the Web server module being electrically connected to said control system controller through a serial or network interface.

In an analogous art to the claimed invention, Sharood shows a module that is electrically connected to a control system controller through a serial or network interface (F2, E204 & E2O6, C5, L21-28). Hence, it would have been obvious to one of ordinary skill in the ad at the time of invention to modify and/or combine the teachings of Papadopoulos and Sharood by allowing a various communication channels (e.g., serial or network ports) to connect to the web server module to enhance the compatibility interfaces of the web server module with various devices.

Response to Arguments

8.   Applicant's arguments have been considered are moot in view of new grounds of rejection. However, those arguments directed to previously relied upon and maintained prior art (i.e. Papadopoulos and Haverstock), the arguments are not persuasive. Applicant argues in substance that the cited references do not teach the amended claims including "without said data related to said markup language Web page persisting on said Web server module".

In response, the Examiner contends that this limitation constitutes new matter as it is not found in the disclosure as originally filed. Nevertheless, the cited references teach each and every limitation as currently claimed. It should be noted however that the claims recite numerous intended use recitations. A recitation of the intended use of the claimed invention must result in a structural difference between the claimed

invention and the prior art in order to patentably distinguish the claimed invention from

the prior art. If the prior art structure is capable of performing the intended use, then it

meets the claim.

Conclusion

9.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37

CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not

mailed until after the end of the THREE-MONTH shortened statutory period, then the

shortened statutory period will expire on the date the advisory action is mailed, and any

extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later

than SIX MONTHS from the date of this final action.

10.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Asad M. Nawaz whose telephone number is (571) 272-

3988. The examiner can normally be reached on M-F 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Saleh Najjar can be reached on (571) 272-4006. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

/Asad M Nawaz/

Examiner, Art Unit 2455

/saleh najjar/

Supervisory Patent Examiner, Art Unit 2455